

Service Date: December 10, 1990

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

\* \* \* \* \*

IN THE MATTER Of The Pass Through )	UTILITY DIVISION
Of Fees Levied On Regulated Com- )	
panies For Funding The Department )	DOCKET NO. 90.10.65
Of Public Service Regulation. )	ORDER NO. 5507a
-----) )	

FINAL ORDER

1. Section 69-1-402, MCA, provides for funding of the Department of Public Service Regulation by a fee on all regulated companies (as defined in Section 69-1-401(2), MCA). The Department of Revenue notified the Public Service Commission of the tax rate which will be effective for the period beginning July 1, 1990. Section 69-1-403, MCA, requires that that the Public Service Commission (Commission) "by separate order authorize each regulated company to fully recover in its rates and charges, on an annual basis, the fees levied . . ." This order is being issued pursuant to that requirement.

2. Interim Order No. 5507 was issued in this Docket on October 12, 1990.

3. A Notice of Opportunity For Public Hearing was issued on the same date. Protests and/or requests for hearing were to be filed by November 16, 1990. No protests or requests for hearing have been received.

#### CONCLUSIONS OF LAW

1. Pursuant to 69-3-102 and 69-14-111, MCA, the Montana Public Service Commission has jurisdiction over regulated companies as defined by Section 69-1-401, MCA.

2. The Public Service Commission is required by Section 69-1-403, MCA, to allow immediate recovery of the regulated utility fee by each affected company in its rates and charges on an annual basis.

3. The increased revenue requirement approved herein is a reasonable means of complying with Section 69-1-402 et seq., MCA.

#### ORDER

1. Rates approved on an interim basis are hereby made permanent.

DONE AND DATED At Helena, Montana this 3rd day of December, 1990, by a 5-0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

\_\_\_\_\_  
HOWARD L. ELLIS, Chairman

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DANNY OBERG, Vice Chairman

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WALLACE W. "WALLY" MERCER, Commissioner

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JOHN B. DRISCOLL, Commissioner

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REX MANUEL, Commissioner

ATTEST:

Ann Peck  
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.